

# **Railroad Participation and Maintenance Responsibilities for Railway-Highway Projects**

**UDOT 08A6-1**

Effective: September 26, 1969

Revised: December 19, 1995

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## **Purpose**

Prior to the initiation of actual construction of a project, an agreement between the Utah Department of Transportation (UDOT) and the railroad company involved shall be prepared in accordance with the provisions of Volume 6, Chapter 4, Section 2 and Volume 1, Chapter 4, Section 3 of the Federal-Aid Highway Program Manual (F.H.P.M.). Railroad participation shall be in conformance with Paragraph 6 of Volume 6, Chapter 6, Section 2 of the F.H.P.M.

## **Policy**

The Utah Department of Transportation has determined that railway-highway projects are grouped into five general classes. the classes and the assignment of railroad company participation with respect to particular projects shall be as follows:

### **1. GRADE CROSSING ELIMINATION:**

When a highway project will eliminate existing at-grade intersections of railways and highways either by grade separation facilities or relocation of the highway, railroad participation shall be as described in Paragraph 6b(2), 6b(3), and 6b(4) of Volume 6, Chapter 6, Section 2 of the F.H.P.M.

Limits of railroad participation for a highway-railway project shall be as described in Paragraphs 6c(1), (2) and (3) of Volume 6, Chapter 6, Section 2 of the F.H.P.M. Responsibility for maintenance of a newly constructed grade separation facility shall be as follows:

a. Where a separation facility overpasses a railroad, maintenance responsibility for the entire structure and approaches shall be assumed by the UDOT.

b. Where a grade separation structure underpasses a railroad, maintenance of the approaches and of the entire structure below and including the deck plate, hand rails, and parapets, shall be the responsibility of the UDOT. Maintenance of the waterproofing, ballast, ties, rails and any portion of the supporting structure above the top of the ballast deck plate between parapets shall be the responsibility of the railroad company involved.

The cost of repairing damages to a structure, occasioned by collision, equipment failure or derailment of the railroad's equipment, shall be borne by the railroad company.

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2. Railway-Highway Project:

a. Grade Crossing Protection:

This group includes all projects for protection of existing at-grade crossings of highways and railways by automatic warning devices. Where it has been determined that active warning devices are warranted, it shall be the policy of the Utah Department of Transportation to install only automatic flashing light signals with gates at railroad crossings of two-lane highways and a combination of flashing light signals with gates and cantilever flashing light signals at railroad crossings of multilane highways. Exceptions to this policy may be allowed if recommended by the Railroad Crossing Surveillance Team. This policy is based upon national statistics which show signals with gates to be by far the most effective in reduction of hazards at railroad crossings. The Railroad Crossing Surveillance Team shall establish the priority in which existing crossings shall be upgraded to meet this standard insofar as funding will allow.

b. PARTICIPATION:

As specified in Paragraph 6b(1) of Volume 6, Chapter 6, Section 2 of the Federal-Aid Highway Program Manual, projects for grade crossing improvements, including crossing rehabilitation and surfacing improvements, are deemed to be of no ascertainable benefit to the railroads, and there shall be no required railroad share of the costs. However, nothing in this policy shall preclude a railroad from participating in the cost of a project if they so desire. Also, other parties may voluntarily participate in the cost of crossing improvement projects.

As specified in the National Surface Transportation Assistance Act, Federal funds are provided for railroad safety grade crossing improvements, which must be matched with state or local government funds. It is the policy of the Utah Department of Transportation Commission to have the local agency who owns the road provide the matching funds to improve the highway-railway crossing. When local funds are limited, special arrangements may be made with UDOT, to spread payments over an appropriate period of time (up to three years), that will automatically be deducted from the local governments quarterly allotment of B&C funds.

c. MAINTENANCE:

The maintenance of automatic signal devices and the pavement area between rails, including space between multiple tracks, if the railroad company owns the easement rights between the multiple tracks, and two feet beyond each outside rail shall become the responsibility of the railroad company involved. Maintenance of signals including the pavement between rails on temporary highway detours shall in all cases become the responsibility of the railroad company at the expense of the Utah Department of Transportation.

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3. RECONSTRUCTION OF EXISTING RAILWAY-HIGHWAY GRADE SEPARATION:

A project to reconstruct an existing overpass or underpass shall include the entire structure and railway and the highest approaches thereto. Since there is no railway liability for such projects, it is considered that there shall be no benefit to the railroad and railroad participation shall not be required. Responsibility for maintenance shall be the same as described under 1(a) and 1(b) of this policy.

4. EXISTING RAILROAD CROSSED BY NEW HIGHWAY:

Where a new street or highway is proposed which is not essentially a relocation of an existing street or highway and it intersects an existing railroad, the UDOT will consider the new crossing in conformance with Section 54-4-15 of the Utah Code. Public notice will be made in conformance with Administrative Rule R917-5-1, "Implementation of Agreements, Participation, Maintenance and Public Notice Responsibilities relating to Railway-Highway Projects". If approved, construction of a separation structure or the installation of a signal device at such crossing will not be considered as a benefit to the railroad and consequently, railroad participation shall not be required. Responsibility for maintenance shall be the same as described under 1(a) and 1(b) of this policy.

5. RAILWAY-HIGHWAY PROJECT:

**EXISTING HIGHWAY CROSSED BY A NEW RAILROAD:** Where a new railroad crosses an existing highway, the UDOT will consider the new crossing in conformance with Section 54-4-15 of the Utah Code. Public notice will be made in conformance with Administrative Rule R917-5-1, "Implementation of Agreements, Participation, Maintenance and Public Notice Responsibility Relating to Railway-Highway Projects". If approved, the required separation of warning devices, and any pavement work at the crossing shall not be considered to be of benefit to the road user and 100 percent railroad participation shall be required. The determination as to separation or type of protection shall be according to the policy existing on the classification and traffic volume of the highway crossed and the predicted traffic hazard.

In order that a railway-highway project shall not become unduly delayed, the Utah Department of Transportation shall consider a six-month period of time from issuance of a railroad agreement to be adequate for completion of execution by the railroad company involved. Should more than the specified period of time elapse, then the Utah Department of Transportation shall require the railroad to proceed with the work covered by the agreement under the authority contained in Section 54-4-15 of the Utah Code and approval from FHWA will be solicited in conformance with Paragraphs 9d(6) and 9d(7) of Volume 6, Chapter 6, Section 2, Subsection 1 of the Federal-Aid Highway Program Manual.